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28 UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO / OAKLAND DIVISION

29 RENEE FASSBENDER AMOCHAEV,
30 DEBORAH ORLANDO, and KATHRYN
31 N. VARNER, on behalf of themselves and
32 all others similarly situated,

33 Plaintiffs,

34 v.

35 CITIGROUP GLOBAL MARKETS, INC.,
36 d/b/a SMITH BARNEY,

37 Defendant.

Case No. C-05-1298 PJH

**JOINT STIPULATION AND [PROPOSED]
ORDER MODIFYING CLASS
CERTIFICATION SCHEDULE**

1 **STIPULATION**

2 WHEREAS, by Order entered August 29, 2006 (Docket No. 72), the Court set an
3 amended class certification briefing schedule in which the deadline for Plaintiffs' Motion for
4 Class Certification was set for October 27, 2006;

5 WHEREAS, currently pending before the Honorable Magistrate Judge Spero are
6 Plaintiffs' Motion to Compel Production of Relevant *Martens* Documents (filed September 1,
7 2006; Docket Entry No. 73), and Defendant's Cross Motion for Protective Order (filed September
8 15, 2006; Docket Entry No. 81), both of which are set for oral argument on October 20, 2006;

9 WHEREAS Defendant filed a Motion to Compel Plaintiffs to Respond to Defendant's
10 First Set of Interrogatories on September 25, 2006 (Docket No. 88) and its Motion was dismissed
11 by Order entered September 26, 2006 (Docket Entry No. 93) with instructions from the Court to
12 meet and confer, and Defendant intends to refile that Motion now that the meet and confer
13 requirements have been met;

14 WHEREAS, although the parties have been actively conferring to come to an agreement
15 regarding Defendant's production of electronic mail, and have had partial success reaching an
16 agreement, the search for such electronic mail has only recently begun and production of any
17 responsive electronic mail will begin in the near future;

18 WHEREAS the parties have agreed to postpone depositions of several Smith Barney
19 employees pending the production of electronic mail and resolution of Plaintiffs' Motion to
20 Compel;

21 WHEREAS, Plaintiffs anticipate filing an Amended Complaint, and Defendant thus
22 would require additional time for discovery; and

23 WHEREAS, the proposed modification of the class certification schedule will not unduly
24 delay processing the action,

25 IT IS HEREBY STIPULATED, by and between the parties through their respective
26 counsel of record, that the parties propose the following revised schedule for class certification:

27 Plaintiffs' Motion for Class Certification	February 26, 2007
28 Defendants' Opposition	April 23, 2007
Plaintiffs' Reply	June 4, 2007
Class Certification Hearing	July 11, 2007

29 SO STIPULATED.

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Dated: October 17, 2006

LIEFF, CABRASER, HEIMANN & BERNSTEIN, LLP

By: /s/ Elizabeth A. Alexander
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ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED

Dated: 12/21/06

~~The Honorable Phyllis J. Hamilton~~

